

# **EXHIBIT 12**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
Case No. 03-MDL-1570 (GBD) (SN)  
-----x.  
IN RE: TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001  
-----x

August 5, 2021  
9:09 a.m.

Videotaped Deposition via Zoom  
of EVAN KOHLMANN, pursuant to Notice,  
before Jineen Pavesi, a Registered  
Professional Reporter, Registered Merit  
Reporter, Certified Realtime Reporter and  
Notary Public of the State of New York.

1 KOHLMANN

2 I was an invited instructor at  
3 the Brunswick Training Center for IRSCI  
4 investigators specifically on the issue of  
5 terrorist financing and means of charities  
6 for terrorist financing, I've spoken with  
7 folks from, you know, the F.B.I., from  
8 Foreign Law Enforcement, from U.S.  
9 Congressional investigators, U.S.  
10 military.

11 Q. Have you been -- have you  
12 consulted with Dr. Matthew Levitt?

13 A. I know Dr. Levitt, I am a  
14 friend of Dr. Levitt, but I don't  
15 typically work alongside of him and I  
16 don't believe I worked directly with him  
17 when he was working in government either.

18 Q. Did you meet with him while he  
19 was working in government, to the best of  
20 your recollection?

21 A. Not to my recollection, no.

22 Afterwards I'm sure we've --  
23 because we're friendly, but I don't  
24 remember ever working with him while he  
25 was in government.

1 KOHLMANN

2 does that make sense?

3 MR. LEWIS: I am going to move  
4 on and if you want to ask him the same  
5 question on redirect, you obviously have  
6 that right, but, yes, let's take a break.

7 MR. HAEFELE: It will be 13  
8 hours removed from the line of thought  
9 that he has got in his head right now so  
10 it probably won't be worth it.

11 However, why don't we take a  
12 break.

13 THE VIDEO TECHNICIAN: The time  
14 is 10:23, going off the record.

15 (Recess taken.)

16 THE VIDEO TECHNICIAN: The time  
17 is approximately 10:45, back on the  
18 record, beginning of media 2.

19 BY MR. LEWIS:

20 Q. Mr. Kohlmann, we talked briefly  
21 during the first hour about your book and  
22 your book was published by Berg  
23 Publishers, is that right?

24 A. That's correct, yes.

25 Q. And how did you come to send

1 KOHLMANN

2 have gotten it right the first time, but I  
3 was very quick to correct it and --

4 Q. No, you actually didn't --

5 A. After 2007 I was very careful  
6 to make sure I said Oxford International  
7 Press in the testimonies I did, right, so,  
8 again, I take your point, I don't want to  
9 confuse anyone, there shouldn't be any  
10 confusion, there isn't any confusion.

11 It is very clear, it is Berg  
12 Oxford International Press.

13 If I've ever said anything else  
14 that would suggest otherwise, it was  
15 purely a mistake, it was meant to be  
16 Oxford International Press.

17 In no way am I asserting that  
18 my book was published by Oxford  
19 University, never have I intended to do so  
20 certainly.

21 Q. Did you send your book  
22 manuscript to Oxford University Press?

23 A. I don't think so.

24 Q. You wouldn't have preferred  
25 that it be published by Oxford University

1 KOHLMANN

2 have training in the laws and regulations  
3 that apply to charities?

4 A. Law --

5 Q. Charities, sorry, it didn't  
6 come through clearly.

7 A. Are you talking about shariah  
8 law or are you talking about man-made law.

9 Q. I'm talking about man-made law  
10 with respect to regulations and laws that  
11 apply to charities.

12 A. Yes, I am familiar with that,  
13 yes.

14 Q. Do you have training in that?

15 A. Yeah, on-the-job training, yes.

16 Q. And so you know what  
17 regulations apply to specific charities in  
18 specific countries in specific times, do  
19 you?

20 A. My expertise in charitable is  
21 mostly focused on how it applies here in  
22 the U.S.

23 I've extensively reviewed 990  
24 and 1023 forms, I am familiar with the  
25 requirements behind them, I've taken a

1 KOHLMANN

2 look at well-filed 990s versus  
3 poorly-filed 990s, I have spent extensive  
4 time working with Star database, I have  
5 spoken with, interviewed and even taught  
6 IRS, CIA investigators who are focused on  
7 abuse of charitable institutions for  
8 terrorist financing purposes.

9 But I think obviously I know  
10 something about what has been done outside  
11 the U.S., primarily in Saudi Arabia, but I  
12 would say my familiarity with legal  
13 provisions is primarily here in New York.

14 Q. I think we talked about  
15 banking.

16 Are you an expert -- sorry,  
17 strike that.

18 Do you have training with  
19 respect to the operation of NGOs?

20 A. Not NGOs generally, NGOs that  
21 are affiliated with armed organizations, I  
22 guess is the way you can say it.

23 Q. Do you have training with  
24 respect to relief operations in crisis  
25 zones?

1 KOHLMANN

2 don't speak Arabic, many of the cases I've  
3 dealt with here in the U.S., the  
4 individuals speak primarily English.

5 As far as in-depth knowledge of  
6 Islamic culture, I have that, it is very  
7 helpful, the fact that I have a  
8 certificate in Islam, the fact that I know  
9 about Islamic terminology, I have spent  
10 time in the Islam world, I know the  
11 difference between someone, as you pointed  
12 out, saying the Shahada in a religious  
13 context, versus saying in a more political  
14 context, I understand that.

15 But I would say in-depth  
16 knowledge of Arabic per se, that's a  
17 chauvinist way of looking at it, assuming  
18 that every single Islamic terrorist group  
19 speaks Arabic, which is not true.

20 And I think that kind of gets  
21 to the key issue here, that most of the  
22 experts that I know, many, not most, I  
23 would say many of the experts I know that  
24 focus on these areas, they don't  
25 necessarily speak Arabic fluently because



1 KOHLMANN

2 middle of the page, "Question: You said  
3 the camp, talking about al-Farouq camp,  
4 was funded by private organizations. Was  
5 one of them al-Wafa, or can you tell me  
6 who was funding it?

7 "Answer: It was a  
8 charity-funded camp."

9 Please tell me where in this  
10 statement it references IIRO.

11 A. So, sorry, let me be be clear,  
12 this is an IIRO employee describing  
13 al-Farouq as a charity-funded company and  
14 DOD also found evidence separately that  
15 al-Farouq was also funded, primarily  
16 funded by IIRO, right.

17 Based on those two pieces of  
18 evidence together, it sure sounds like it  
19 is IIRO that's funding al-Farouq.

20 Again, this is part of --  
21 excuse me --

22 Q. Where did the DOD find that  
23 al-Farouq was funded by IIRO?

24 A. I have to dig it out, it is in  
25 my report.

1 KOHLMANN

2 finish -- for particular financial  
3 transfer and I don't know if this is the  
4 only one, but it is an example of where  
5 money obviously went from IIRO's account  
6 to something it shouldn't have gone to,  
7 you know.

8 Q. And have you reviewed the civil  
9 lawsuit in which IIRO alleged that  
10 Sulaiman Ali had ripped him off?

11 A. It has been years and that's  
12 fine, they can have that explanation,  
13 that's fine, but Sulaiman Ali was a member  
14 of IIRO's executive committee, this was  
15 not a low level figure and he had lots of  
16 money, so it wasn't like he was looking  
17 for money.

18 I don't know what his  
19 motivations were in doing this, I don't  
20 know who else in the organization knew  
21 about it and I don't know -- I can't tell  
22 you.

23 But what I can tell you is  
24 you're asking me for an example of where  
25 money went from IIRO's accounts to

1 KOHLMANN

2 something illicit that was  
3 terrorism-related and I just gave you an  
4 example and I gave you exact amounts.

5 Q. Are you suggesting that IIRO  
6 made that investment with the knowledge or  
7 intent it would be --

8 A. I don't know.

9 MR. HAEFELE: Objection to the  
10 form of the question.

11 A. I don't know, I wish I knew the  
12 answer to that question, I don't know.

13 I know that a member of IIRO's  
14 executive committee, senior member of the  
15 organization, transferred the money in a  
16 way that obviously ended up in the coffers  
17 of someone who was supporting terrorism.

18 Who else approved it in IIRO's  
19 executive structure, et cetera, et cetera,  
20 I would love to know that, I would love to  
21 know, you know, why no one did anything  
22 about this, why it took so long for anyone  
23 to do anything about it.

24 You know, as far as I know,  
25 Sulaiman Ali never went to jail, I don't

1 KOHLMANN

2 I haven't seen a lot of  
3 instances where law enforcement agencies  
4 have written lengthy reports about how one  
5 particular charity seems to be involved in  
6 all sorts of, you know, burning records,  
7 cheating, forgery, and they're using those  
8 words.

9 You know, it could mean just  
10 graph, it could mean theft, but it also  
11 happens to be something very useful if  
12 you're looking to launder money and  
13 terrorist groups are always trying to  
14 launder money from legitimate sources,  
15 including in this case charities.

16 Q. Are you aware of the Harvard  
17 study in 2006 that Mr. Winer cited in his  
18 report that showed \$40 billion was lost  
19 from U.S. charities through embezzlement  
20 and fraud?

21 A. No, I am not familiar with that  
22 report.

23 Q. Does that number sound right to  
24 you?

25 A. I have no idea, I don't know,

1 KOHLMANN

2 about, sir?

3 MR. HAEFELE: Objection to form  
4 of the question.

5 A. I'm actually referring to a  
6 couple of different things.

7 That's one, but I'm also  
8 referring to the Philippines office, I am  
9 referring to the Bosnia government  
10 investigation.

11 The investigations in all of  
12 these places, like, they use certain  
13 keywords that come up again and again,  
14 it's funny, obviously it's translations,  
15 right, but they're all speaking different  
16 languages and coming up with words like  
17 forgery, burning documents, cheating,  
18 hiding bank accounts.

19 Why would the IIRO create a  
20 hidden bank account in Bahrain in 2005  
21 after they had already been told not to.

22 Again, these kind of  
23 activities, going back to your point, a  
24 major charity violating anti-money  
25 laundering law twice after it has already

1 KOHLMANN

2 been told not to and creating a secret  
3 bank account, that's not normal, you don't  
4 see Save the Children doing that.

5 Like I said, there is some  
6 level of graph and theft, okay, okay,  
7 okay, it's a nonprofit, I get it,  
8 sometimes that happens and it happens here  
9 in the U.S., but that doesn't happen,  
10 certainly not with an organization that  
11 should have much better oversight.

12 Q. The destruction of records that  
13 you're talking about, that was only in  
14 Pakistan, right?

15 A. No, I believe there was also --  
16 I have to double-check, but I think also  
17 in the Philippines as well.

18 Q. I am not going to argue with  
19 you about it, but that's not the case.

20 Let me ask you this question;  
21 how many audits did you review of branches  
22 of IIRO?

23 A. You mean for this case or just  
24 in general?

25 Q. Let's start with this case.

1 KOHLMANN

2 Since that time the only contact the  
3 family has had with him is one phone call  
4 received by his mother after Eid Al-Adha."

5 A. It is a mistake, it is a typo.

6 I put two things together here  
7 by accident, that's just a mistake, I will  
8 remove it from the report if you want.

9 Again --

10 Q. Well, you've identified someone  
11 as a September 11th hijacker who worked  
12 for IIRO and that's not true.

13 The September 11th hijackers,  
14 two al-Shehri brothers had no connection  
15 to IIRO, correct, that's --

16 A. I don't know, I don't know.

17 In this case, sorry, yeah, I  
18 mixed up these two paragraphs.

19 But, again, I don't know, he  
20 might have worked for IIRO, I have no  
21 idea.

22 Q. Well, this article says some  
23 other guy completely who is the son of  
24 some other guy completely worked for IIRO.

25 So now you're saying maybe the

1 KOHLMANN

2 well?

3 A. It is certainly possible, yeah,  
4 sure.

5 Again, it doesn't exactly  
6 reflect on the modus operandi that he was  
7 intending to use to get there.

8 Q. Well, you say, "IIRO offered  
9 fraudulent employment and documents to  
10 foreign mujahideen fighters who wished to  
11 cross the border in Chechnya and engage in  
12 combat with the Russian military," and  
13 then you cite this.

14 Where in this document is there  
15 any suggestion that IIRO offered  
16 fraudulent employment and documents to  
17 foreign mujahideen fighters who wished to  
18 cross the border in Chechnya?

19 MR. HAEFELE: Objection.

20 A. Sure.

21 So this individual wished to go  
22 into Chechnya.

23 At the time the only way to get  
24 into Chechnya was to have credentials from  
25 some kind of relief organization that



1 KOHLMANN

2 would get you over the border, this is  
3 exactly the same problem that happened to  
4 the deputy commander of Al Qaeda when he  
5 tried to go there and he got arrested.

6 So the idea here is that these  
7 guys needed a way in, they needed ID  
8 cards, the same thing as what happened in  
9 Bosnia.

10 So the organization provided ID  
11 cards to these folks.

12 Now, there is an argument that,  
13 oh, they were duped by these individuals  
14 who wanted to go there, like this  
15 individual, who explained that he was  
16 planning to support them by whatever way,  
17 he would get there by whatever way, right.

18 There is another argument, and  
19 I think there is a lot of evidence to  
20 support this, that there were individuals  
21 within the IIRO infrastructure who were  
22 giving out these documents.

23 I know I did cite to this  
24 particular footnote, but I can also show  
25 you my report, I believe it is in my main

1 KOHLMANN

2 report, I talk extensively about how IIRO  
3 ID cards were recovered from Saudi  
4 fighters in Bosnia that were given to them  
5 by the organization and that the person in  
6 charge of the organization was actually a  
7 mujahadeen fighter, Abdel Aziz Zaher.

8 So while it is true that in  
9 this case this individual did not actually  
10 get there, this is what he was trying to  
11 do, he was trying to get ID to get into  
12 Chechnya, the same way that IIRO gave ID  
13 to people to get into Bosnia as well.

14 Again, I discuss it at great  
15 length in my report.

16 Q. You do, you also talk about how  
17 the U.N. High Commission for Refugees was  
18 giving out IDs to mujahideen in Bosnia, do  
19 you recall that in your report?

20 A. I talked about that, I don't  
21 think I said it was given to them, I said  
22 they got them and there is a difference.

23 Q. You're not suggesting that --  
24 strike the question, it's too much for  
25 Jineen, we don't need that.

1 KOHLMANN

2 Project, I'm trying to see if there is any  
3 terrorist-related material here" or  
4 anything like that? Were you up front with  
5 them?

6 MR. HAEFELE: Objection to  
7 form.

8 A. I did not identify to WAMY that  
9 I was there to discover whether or not they  
10 were funding extremist causes, no, I did  
11 not do that.

12 Q. Did you even identify yourself  
13 as to who you were with?

14 A. No, I did not.

15 Q. Did you obtain any literature  
16 at that trip?

17 A. I did.

18 Q. What did you obtain?

19 A. I obtained an item that is  
20 described in my expert report, to wit, a  
21 WAMY summer camp training manual, including  
22 descriptions of courses and songs to be  
23 sung by campers.

24 Q. And did you subsequently turn  
25 that over to the lawyers who hired you in

1 KOHLMANN

2 orient, is there anywhere in your report  
3 where you will find that the World Assembly  
4 of Muslim Youth, that entity, ever provided  
5 direct aid to Al-Qaida?

6 MR. HAEFELE: Objection to  
7 form.

8 A. First of all, I would note here  
9 that you are discounting BIF, which is an  
10 arm or was an arm of WAMY.

11 Q. We will talk about BIF later,  
12 but my question is the World Assembly of  
13 Muslim Youth.

14 A. Mr. Goetz, I understand you  
15 don't want me to interrupt you, but you  
16 have to let me speak here.

17 Q. But not when you are not  
18 answering my question. I want to make sure  
19 you understand it.

20 A. Mr. Goetz, I'm answering your  
21 question. My answer to you is that BIF was  
22 an arm of WAMY, so discounting BIF is like  
23 saying did the U.S. ever invade another  
24 country aside with its own military. I  
25 don't -- I don't know that that is a valid

1 KOHLMANN

2 question or that you are asking me to  
3 answer a question without providing any  
4 evidence. Like I'm not sure that that's --  
5 that that's a reasonable request.

6 But if you don't count the main  
7 method by which WAMY was funding this stuff  
8 or allegedly funding this stuff, I don't,  
9 you know, I would also note that in  
10 paragraph 172, "According to the U.S.  
11 Department of Defense, Guantanamo Bay  
12 prisoners who were working under the  
13 auspices of WAMY were 'likely using their  
14 appointment in non-government organizations  
15 to facilitate funds and personnel for  
16 Al-Qaida and its global terrorist  
17 network.'" It is the paragraph just above  
18 the one you were pointing to before.

19 I would also point -- hold on  
20 one second. I mean, I would also point,  
21 frankly, to the other paragraph we  
22 referenced before, which is the WAMY  
23 fundraising thing with Ali Bapir. I know  
24 that you pointed out that Ansar al-Islam  
25 was not designated to two years afterward,

1 KOHLMANN

2 but it was a designated Al-Qaida subgroup.

3 Q. So that was paragraph --

4 A. That's 177.

5 Q. 177, all right. Any other  
6 paragraphs where you claim you opine that  
7 WAMY provided direct aid to Al-Qaida?

8 A. Sure, hold on one second. I  
9 just want to go through my report.

10 Q. Sure. We can -- we can take a  
11 break and you can review your report and  
12 then you can give me --

13 A. No, it's okay, this is just  
14 going to take a couple of seconds.

15 A WAMY employee delivered a  
16 tape to Osama Bin Laden to media.

17 Q. The Sudanese?

18 A. That's correct.

19 Q. We have that paragraph, but can  
20 you just give me the number if you have it  
21 in front of you?

22 A. I actually, sorry, I'm not  
23 reading it, it just occurred to me.

24 Q. We will get it.

25 A. Yeah, and the rest of the stuff

1 KOHLMANN

2 spoke in the U.S. and he was raising money  
3 for jihad in Chechnya on behalf of WAMY.

4 Q. We will come back to Mr. Ahmer.

5 But just focusing back on 176,  
6 you are aware that Abdullah Bin Laden left  
7 the United States in 2000, are you aware of  
8 that?

9 A. Yeah, approximately then, yes.

10 Q. And he ended -- he was no  
11 longer the representative of WAMY in June  
12 of 2004. Were you aware of that?

13 A. I believe so, yes.

14 Q. So why did you feel it  
15 necessary when you wrote your report to  
16 characterize this as Abdullah Bin Laden's  
17 WAMY office in Virginia?

18 A. Because of the fact that a lot  
19 of people who are familiar with this office  
20 are familiar with it, the office that was  
21 run by Abdullah Bin Laden. The fact that  
22 he stepped down a year or two before this  
23 happened, you know, that's how it's known.  
24 I was referring to it so it was clear.

25 Q. You don't, well, you don't

1 KOHLMANN

2 think that you put Abdullah Bin Laden just  
3 to bring in the Bin Laden name in  
4 connection with WAMY's office, that's why  
5 you didn't do it?

6 MR. HAEFELE: Objection to  
7 form, argumentative.

8 A. Now you are assuming what my  
9 motivations are.

10 Q. Well, all right, strike that.

11 But suffice to say you don't  
12 dispute that WAMY's office in Virginia at  
13 that time was headed by an entirely  
14 different individual in June of 2004, you  
15 don't dispute that, do you?

16 A. No, I think it was a different  
17 individual, that's correct.

18 Q. And you know WAMY or WAMY USA  
19 had never been designated as an SDGT or  
20 FTO, correct?

21 A. They have never been designated  
22 by the Treasury Department, that's correct,  
23 yes.

24 Q. Or the State Department?

25 A. Or the State Department, that's



1 KOHLMANN

2 anything after 1023.

3 Q. You have to refresh.

4 A. Yeah, I did that, several  
5 times.

6 THE CONCIERGE: Mr. Kohlmann,  
7 make sure you are in today's folder.

8 THE WITNESS: Wait a second.  
9 There is another folder. Here you go.  
10 Okay, now I have it in front of me, okay.  
11 Let me take a look real fast. Yeah, sure,  
12 so, you know.

13 Q. So isn't it true that the  
14 article from the FDD claims that WAMY  
15 employs Sheikh Saleh al-Buraik?

16 A. That's correct.

17 Q. So, I mean, that's -- that's an  
18 assertion of fact, that's not a quote,  
19 right, that's the claim in this article  
20 that WAMY employs Sheikh Saleh al-Buraik?

21 A. They do claim that, yes. I  
22 mean, I think -- I think -- I actually  
23 think that may be an incorrect assertion,  
24 but that's besides the point, they do claim  
25 that, yes.

1 KOHLMANN

2 Q. And in citing this article in  
3 support of that assertion of fact, and I  
4 understand you have got the citation, but  
5 you don't include anything in your report,  
6 you don't write in your report FDD is part  
7 of the Israel lobby or anything that  
8 identifies the bias of the source of that  
9 claim, that is not in your report, is it?

10 A. Well, if Mr. al-Buraik is  
11 employed by WAMY, it is a fact, and I'm not  
12 sure I understand what the bias is here. I  
13 think this is sort of splitting hairs,  
14 because al-Buraik definitely worked for  
15 WAMY. He definitely worked as a lecturer  
16 at their summer camps. As for any other  
17 roles that he played, I would have to dig  
18 into that a little deeper.

19 But, again, this seems to be a  
20 factual statement. You could say WAMY  
21 employed Sheikh Saleh al-Buraik at his --  
22 at their summer camps, which would be more  
23 specific and maybe even more accurate, but  
24 I don't -- I guess what I'm saying is I  
25 understand what you are saying about bias,

1 KOHLMANN

2 obviously I don't agree with their  
3 political philosophy, so I don't write for  
4 them anymore. But this is an article by  
5 the Foundation for Defense of Democracies,  
6 so the fact that it was published in Front  
7 Page Magazine in 2002, I think long before  
8 the Southern Poverty Law Center said  
9 anything about this magazine, and certainly  
10 this is not a reflection of the magazine  
11 itself, it is a reflection of something  
12 written by Foundation for Defense of  
13 Democracies.

14 In any event, if the argument  
15 is that I should have put a different  
16 source to say that Saleh al-Buraik was an  
17 employee at WAMY or that he spoke at WAMY  
18 summer camps, it is not a fact in dispute.  
19 It is not a fact in dispute. So, you know,  
20 or at least it's not, as far as I'm aware,  
21 it's not in dispute that he spoke at WAMY  
22 summer camps and that he spoke on behalf of  
23 WAMY.

24 So, you know, I sort of  
25 understand that you are suggesting that the

1 KOHLMANN

2 paragraphs 191 and 192 of your report.

3 A. Yes.

4 Q. All right. Now, while we are  
5 waiting for that document to come up, you  
6 are not a forensic accountant, correct?

7 A. Correct.

8 Q. Have you ever conducted a  
9 financial audit yourself?

10 A. Not like this, no.

11 Q. Have you ever analyzed the  
12 audits conducted by any other financial  
13 professionals to determine whether or not  
14 they did or did not comply with auditing  
15 standards or accounting standards?

16 A. I mean, I don't have any formal  
17 training in accounting, but if you are  
18 asking have I looked at accounting  
19 documents that have been recovered in  
20 investigations like this and, you know,  
21 helped examine them or even just studied  
22 them on the side? The answer is yes. If  
23 you are asking if I have formal training in  
24 accounting, the answer is no.

25 Q. No, I was asking if you have

1 KOHLMANN

2 what it was. There was a bomb making  
3 manual inside this envelope. Why was there  
4 a guy carrying a bomb making manual inside  
5 this envelope?

6 Q. We are not asking about that.

7 MR. HAEFELE: Mr. Goetz, before  
8 you go, one more time, can I get the  
9 document put in the file share? I'm seeing  
10 this is item number 26 from your files  
11 today.

12 MR. GOETZ: Yeah, and it should  
13 be now Exhibit 1045. Sorry, for the  
14 record, that's what it should be.

15 (Exhibit 1045 marked for  
16 identification)

17 MR. HAEFELE: Yeah, the 1045,  
18 I'm only at 1044, and I have refreshed  
19 countless times. While I have been  
20 patient, I have been waiting, you know,  
21 countless times to do it.

22 MR. GOETZ: And, again, I have  
23 no control over that.

24 Q. But, Mr. Kohlmann, we are not  
25 getting into assertions. I'm just trying

1 KOHLMANN

2 to dial in on what you wrote in your  
3 report. And in your report, you wrote  
4 "with the letterhead of BIF with a notation  
5 explaining that BIF is a branch of the  
6 World Assembly of Muslim Youth," and  
7 accepting everything you said about alias  
8 and everything else, I'm just asking what  
9 this document says, and it does not say  
10 BIF, does it?

11 A. That is -- that is your  
12 assertion. I keep --

13 Q. No, no, no.

14 A. -- goes by a number of  
15 different names, a number of different  
16 aliases, such as Benevolence International  
17 or BIF or the name in Arabic or, for  
18 example, Lajnat al-Birr, simply Lajnat  
19 al-Birr. It goes by these different names.

20 Now, I understand the assertion  
21 by WAMY is that they are two separate  
22 organizations. I understand that. I  
23 appreciate that. Based on my analysis,  
24 that is not credible. Based on my  
25 analysis, these two organizations operated

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2 very closely with one another  
3 symbiotically, right?

4 So when I see a document that  
5 has the BIF logo on the top of it and it  
6 has a known alias, what I know to be known  
7 alias for BIF underneath and then it says  
8 World Assembly for Muslim Youth, that's why  
9 I described it there.

10 Q. So even though this document  
11 says Lajnat al-Birr al-Islamiyya, when you  
12 were writing your expert report, you chose  
13 to describe -- to basically attribute this  
14 alias to it and then in describing that in  
15 your report in terms of what this envelope  
16 looked like, you did not use LBI, you used  
17 BIF; is that right?

18 A. I believe LBI, Lajnat al-Birr  
19 al-Islamiyya, is an alias used by BIF, and  
20 that is why when it says Lajnat al-Birr and  
21 it has the BIF logo, I interpret that as  
22 BIF, again, because I don't distinguish  
23 necessarily between those two groups  
24 because they operate symbiotically. They  
25 may use the same name.

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2 opinions related to terrorism and terrorism  
3 financing in this case, not feel that it  
4 was important to accurately quote that this  
5 Saudi report made clear that the closure of  
6 those offices was not for financing  
7 terrorism, you didn't think that was  
8 important to note?

9 MR. HAEFELE: Objection to  
10 form.

11 A. I thought it was clear --  
12 sorry, I thought it was pretty clear the  
13 way I stated it especially since the point  
14 of this paragraph has nothing to do  
15 specifically with funding terrorism. It is  
16 specifically about -- the title of the  
17 section -- or the lead sentence in the  
18 section is about violating highly  
19 publicized rules in cash fundraising and  
20 proper accounting procedures.

21 The point of this was not to  
22 suggest that the report indicated that  
23 there was terrorist fundraising going on,  
24 but merely that they continued to violate  
25 their own fundraising laws. So, I mean, I



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2 don't disagree with the fact that it says  
3 this, yeah, of course, but that's what I  
4 said. I said to ensure that financial and  
5 administrative imbalance is not exploited.

6 Q. And you don't --

7 A. Again, I don't think it changes  
8 the meaning of this. Again, this section  
9 was not about terrorist fundraising, I  
10 mean, this particular paragraph, it is  
11 about following accounting procedures.

12 Q. You don't disagree that you  
13 deliberately chose to leave out "not for  
14 financing terrorism" out of your report,  
15 you made that choice, didn't you,  
16 Mr. Kohlmann?

17 MR. HAEFELE: Objection to  
18 form.

19 A. I did, yes.

20 Q. And this paragraph 47 that we  
21 are talking about appears under the  
22 heading, the section V on page 19 of your  
23 rebuttal report, The Saudi Government  
24 Position on the Role of Islamic Charities  
25 in Supporting Al-Qaida; does it not?